

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Attorney Docket No. CELL-055CIP)

In re Application of: Riviere et al.

Serial No.: 08/252,710

Filing Date: June 2, 1994

Title: RETROVIRAL GENE THERAPY VECTORS AND  
THERAPEUTIC METHODS BASED THEREON

Examiner: J. Fredman

Group Art Unit: 1809

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:



**REVOCATION AND CREATION OF POWER OF ATTORNEY**

Hon. Assistant Commissioner for Patents:

I, John Pratt, hereby certify that I am authorized to act on behalf of Whitehead Institute for Biomedical Research, having a principal place of business located at Nine Cambridge Center, Cambridge MA 02142, in matters before the United States Patent and Trademark Office. I further certify that the assignment documents for the above-identified patent application have been reviewed and that to the best knowledge and belief of the Whitehead Institute For Biomedical Research, co-title in such patent application is in the name of the Whitehead Institute for Biomedical Research and Somatix Therapy Corporation. The assignment to the Whitehead Institute for Biomedical Research for the above-identified patent application was recorded in the United States Patent and Trademark Office on November 23, 1994 at reel 7223, frame 0723.

In the above-identified United States patent application, I hereby revoke all powers of attorney previously created. I hereby appoint the following attorneys to prosecute the above-identified application and transact all business in the Patent and Trademark Office connected therewith.



James B. Lampert	Reg. No. 24,564
Wayne M. Kennard	Reg. No. 30,271
Michael J. Bevilacqua	Reg. No. 31,091
Holly L. Baker	Reg. No. 31,321
Henry N. Wixon	Reg. No. 32,073
Donald R. Steinberg	Reg. No. 37,241
Wayne A. Keown, Ph.D.	Reg. No. 33,923
Ann-Louise Kerner, Ph.D.	Reg. No. 33,523
Michael A. Diener	Reg. No. 31,122
Colleen Superko	Reg. No. 39,850
Richard Goldenberg	Reg. No. 38,895
Gretchen Rice, Ph.D.	Reg. No. 37,429
Peter Dichiaro	Reg. No. 38,005

the mailing address and telephone number of each of whom is HALE AND DORR LLP, 60 State Street, Boston, Massachusetts 02109, (617) 526-6000, and Karen I. Krupen, Ph.D., Reg. No. 34,647 and Cynthia Soumoff, Ph.D., Reg. No. 38,314, the mailing address and telephone number of whom is Cell Genesys, Inc., 322 Lakeside Drive, Foster City, CA 94404, (650) 358-9600, with full power of substitution and revocation to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith

All correspondence should be sent to the attention of:

Anne-Louise Kerner, Ph.D.  
Hale and Dorr LLP  
60 State Street  
Boston, MA 02109  
Telephone No.: (617) 526-6250  
Telecopier No.: (617) 526-5000

WHITEHEAD INSTITUTE FOR  
BIOMEDICAL RESEARCH

By

  
John Pratt  
Associate Director

Date: Nov 3 1997



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Attorney Docket No. CELL-055CIP)

In re Application of: Richard C. Mulligan, et al )  
Serial No.: 08/252,710 )  
Filing Date: June 2, 1994 )  
Title: RETROVIRAL GENE THERAPY )  
VECTORS AND THERAPEUTIC )  
METHODS BASED THEREON )

Examiner:  
Group Art Unit:

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

**REVOCATION AND CREATION OF POWER OF ATTORNEY**

Hon. Assistant Commissioner for Patents:

I, Kathleen S. Glaub, hereby certify that I am authorized to act on behalf of Somatix Therapy Corporation in matters before the United States Patent and Trademark Office. I further certify that Somatix Therapy Corporation is the Assignee and exclusive licensee of the above-identified United States patent application.

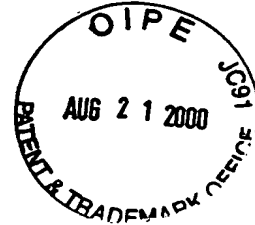
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Gretchen Rice, Ph.D.

Reg. No. 38,895  
Reg. No. 37,429



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Hale and Dorr LLP  
60 State Street  
Boston, MA 02109  
Telephone No.:  
Telecopier No.:

(617) 526-6192  
(617) 526-5000

SOMATIX THERAPY CORPORATION

By Kathleen S. Glaub  
Kathleen S. Glaub  
President of Somatix Therapy  
Corporation

Date: October 31, 1997

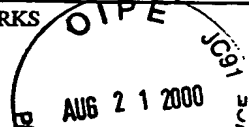


**RECORDATION FORM COVER SHEET  
PATENTS ONLY**

Attorney Docket Number  
**8141-113-999**



THE HONORABLE COMMISSIONER OF PATENTS AND TRADEMARKS  
Box Assignments  
Washington, DC 20231



Please record the attached original documents or copy thereof.

1. Name of conveying party(ies): **Lawrence Cohen, Brad Guild, Lori Rafield**

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other \_\_\_\_\_

Execution Dates: **8/22/94, 8/23/94, 11/17/94**

2. Name and address of receiving party(ies):

Name: **Somatix Therapy Corporation**

Address: **Suite 3110  
1301 Marina Village Parkway  
Alameda, CA 94501**

Country (if other than USA): \_\_\_\_\_

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: **N/A**

A. Patent Application No.(s) **08/252,710**

B. Patent No.(s) \_\_\_\_\_

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

**PENNIE & EDMONDS  
1155 Avenue of the Americas  
New York, NY 10036**

6. Number of applications and patents involved: **One**

7. Total fee (37 CFR 3.41):.....\$ **40.00**  
Please charge to the deposit account listed in Section 8.

8. Deposit account number:  
**16-1150**  
(A copy of this page is attached)

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9. Statement and signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*

**Albert P. Halluin 25.227**

Name of Person Signing Reg. No.

*Albert P. Halluin*  
Signature

**11/23/94**

Date

Total number of pages including cover sheet:

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Mail documents to be recorded with required cover sheet information to:  
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Date of Deposit **11/23/94**

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Alvin Foster

**93721552**

**TW11188 12/13/94**

(Type or print name of person mailing paper or fee)

**08252** (Signature of person mailing paper or fee)

**16-1150 110 581**

**40.00CH**



DATE: 01/03/95  
TO:

ALBERT P. HALLUIN  
PENNIE & EDMONDS  
1155 AVENUE OF THE AMERICAS  
NEW YORK, NY 10036

N12B



8141-113  
UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231



REFERRED TO	Halluin
REC'D	JAN 26 1995
Pennie & Edmonds	
O.K. for filing	

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT BRANCH OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE U.S. PATENT AND TRADEMARK OFFICE ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT ASSIGNMENT PROCESSING SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT BRANCH, NORTH TOWER BUILDING, SUITE 10C35, WASHINGTON, D.C. 20231

ASSIGNOR:  
COHEN, LAWRENCE E

DOC DATE: 11/17/94

ASSIGNOR:  
GUILD, BRAD

DOC DATE: 08/23/94

ASSIGNOR:  
RAFIELD, LORI

DOC DATE: 08/22/94

RECORDATION DATE: 11/23/94    NUMBER OF PAGES 005    REEL/FRAME 7223/0727

DIGEST :    ASSIGNMENT OF ASSIGNORS INTEREST

ASSIGNEE:  
SOMATIX THERAPY CORPORATION  
1301 MARINA VILLAGE PARKWAY, STE. 3110  
ALAMEDA, CA 94501

SERIAL NUMBER	8-252710	FILING DATE	06/02/94
PATENT NUMBER		ISSUE DATE	00/00/00

*Sally K. Ryne*  
EXAMINER/PARALEGAL  
ASSIGNMENT BRANCH  
ASSIGNMENT/CERTIFICATION SERVICES DIVISION



## ASSIGNMENT

WHEREAS, WE, Lawrence Cohen, citizen of United States, Brad Guild, citizen of United States, Lori Rafield, citizen of United States, ASSIGNORS, residing at 5670 Cabot Drive, Oakland, California 94611, 109 Riverdale Road, Concord, Massachusetts 01742, 2249 Beach Street, #5, San Francisco, California 94123 respectively are the inventors of the invention in Retroviral Vectors Useful For Gene Therapy for which we have executed an application for a Patent of the United States

- ☐ which is executed on ☐ even date herewith or ☐      (date)  
☒ which is identified by Pennie & Edmonds docket no. 8141-113-999  
☒ which was filed on June 2, 1994, Serial No. 08/252,710

and WHEREAS, Somatix Therapy Corporation, ASSIGNEE is desirous of obtaining the entire right, title and interest in, to and under the said invention and the said application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said ASSIGNORS, have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title and interest in, to and under the said invention, and the said United States application and all divisions, renewals and continuations thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof; and all applications for industrial property protection, including, without limitation, all applications for patents, utility models, and designs which may hereafter be filed for said invention in any country or countries foreign to the United States, together with the right to file such applications and the right to claim for the same the priority rights derived from said United States application under the Patent Laws of the United States, the International Convention for the Protection of Industrial Property, or any other international agreement or the domestic laws of the country in which any such application is filed, as may be applicable; and all forms of industrial property protection, including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof;

AND WE HEREBY authorize and request the Commissioner of Patents and Trademarks of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents or other evidence or forms of industrial property protection on applications as aforesaid, to issue the same to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we have full right to convey the entire interest herein assigned, and that we have not executed, and will not execute, any agreement in conflict herewith.

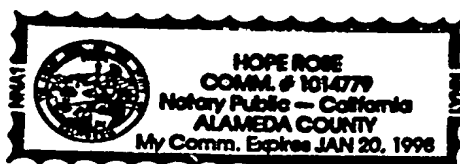
AND WE HEREBY further covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, reissue and foreign applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for said invention in all countries.

IN TESTIMONY WHEREOF, We hereunto set our hands and seals the day and year set opposite our respective signatures.

Date 11/17/94, 1994 Lawrence Cohen L.S.  
 Lawrence Cohen

State of California  
 County of Alameda ) SS.:

On this 17th day of November, 1994, before me, a Notary Public in and for the State and County aforesaid, personally appeared Lawrence Cohen, to me known and known to me to be the person of that name, who signed and sealed the foregoing instrument, and he acknowledged the same to be his free act and deed.



Hope Rose  
 Notary Public

REEL 7223 PAGE 728



Date August 23, 1994

Brad Guild

L.S.

State of Massachusetts )  
County of Middlesex ) SS.:

On this 23rd day of August, 1994, before me, a Notary Public in and for the State and County aforesaid, personally appeared Brad Guild to me known and known to me to be the person of that name, who signed and sealed the foregoing instrument, and he acknowledged the same to be his free act and deed.

[Signature]  
Notary Public.

Date \_\_\_\_\_, 1994

Lori Rafield

L.S.

State of California )  
County of \_\_\_\_\_ ) SS.:

On this \_\_\_\_\_ day of \_\_\_\_\_, 1994, before me the undersigned, a Notary Public for the State of California, personally appeared \_\_\_\_\_ personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity

\_\_\_\_\_  
Notary Public.

REEL 7223 FRAME 729



IN TESTIMONY WHEREOF, We hereunto set our hands and seals the day and year set opposite our respective signatures.

Date 8/22, 1994

  
Lori Rafield

L.S.

REEL 7223 FRAME 730



# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

REL 1223 FRAME 731

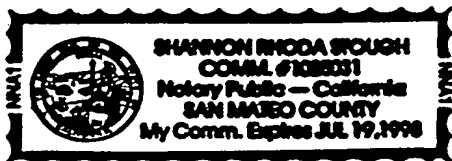
No. 5907

State of California  
County of San Mateo

On August 22, 1994 before me, Shannon Rhoda Stough  
DATE NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"

personally appeared Lori Rajfield  
NAME(S) OF SIGNER(S)

☒ personally known to me - OR - ☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Shannon Rhoda Stough  
SIGNATURE OF NOTARY

## OPTIONAL

Though the data below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent reattachment of this form.

### CAPACITY CLAIMED BY SIGNER

☒ INDIVIDUAL  
☐ CORPORATE OFFICER

TITLE(S) \_\_\_\_\_

☐ PARTNER(S) ☐ LIMITED  
☐ GENERAL

☐ ATTORNEY-IN-FACT  
☐ TRUSTEE(S)  
☐ GUARDIAN/CONSERVATOR  
☐ OTHER: \_\_\_\_\_

SIGNER IS REPRESENTING:  
NAME OF PERSON(S) OR ENTITY(IES)

### DESCRIPTION OF ATTACHED DOCUMENT

Assignment of Patent  
TITLE OR TYPE OF DOCUMENT

1  
NUMBER OF PAGES

August 22, 1994  
DATE OF DOCUMENT

Brad Guild & Lawrence Cohen  
SIGNER(S) OTHER THAN NAMED ABOVE



40405

PATENT APPLICATION

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Riviere et al.

Serial No.: 08/252,710

Filed: 2 June 1994

For: RETROVIRAL GENE THERAPY  
VECTORS AND THERAPEUTIC  
METHODS BASED THEREON

Group Art Unit: 1634

Examiner: Fredman, J.

ASSOCIATE POWER OF ATTORNEY

BOX: AF

Assistant Commissioner for Patents  
2900 Crystal Drive  
Washington, D.C. 20231

Sir:

I, Karen I. Krupen, Reg. No. 34,647, of record in the instant application, see the Appointment of Attorney document executed on 31 October 1997 by Somatix Therapy Corporation, appoints herewith Dean H. Nakamura, Reg. No. 33,981, as attorney for Applicants with full power to prosecute the instant application, to make alterations and amendments therein, to inspect and make copies thereof and to transact any and all business in the United States Patent and Trademark Office connected therewith.

Revocations and new Power of Attorney documents will be filed shortly.



ASSOCIATE POWER OF ATTORNEY  
U.S. Ser. No. 08/252,710

Please direct all correspondence relating to the instant Application from this day  
forward to:

Dean H. Nakamura, Esquire  
ROYLANCE, ABRAMS, BERDO & GOODMAN, L.L.P.  
1300 19<sup>th</sup> Street, N.W., Suite 600  
Washington, D.C. 20036

Respectfully submitted,

  
Name: Karen I. Krupen, Esq.  
Reg. No. 34, 647